

Immanuel Herrmann
Pro Se

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:)	Chapter 11
)	
CELSIUS NETWORK LLC, <i>et al.</i> ¹)	Case No. 22-10964 (MG)
)	
Debtors.)	(Jointly Administered.)
)	

**IMMANUEL HERRMANN'S OBJECTION TO THE DEBTORS' SECOND MOTION
FOR ENTRY OF AN ORDER (I) EXTENDING THE DEBTORS' EXCLUSIVE
PERIODS TO FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF
PURSUANT TO SECTION 1121 OF THE BANKRUPTCY CODE AND (II) GRANTING
RELATED RELIEF**

I submit this objection to the second motion of the above-captioned debtors-in-possession (the “Debtors”) for entry of an order further extending the exclusive periods during which only the Debtors may file and solicit acceptances of a chapter 11 plan (the “Second Exclusivity Motion”) [Docket No. 1940], and respectfully state as follows:

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: Celsius Network LLC (2148); Celsius KeyFi LLC (4414); Celsius Lending LLC (8417); Celsius Mining LLC (1387); Celsius Network Inc. (1219); Celsius Network Limited (8554); Celsius Networks Lending LLC (3390); and Celsius US Holding LLC (7956). The location of Debtor Celsius Network LLC's principal place of business and the Debtors' service address in these chapter 11 cases is 121 River Street, PH05, Hoboken, New Jersey 07030.

OBJECTION

I oppose any additional extensions of exclusivity for the Debtors.

I repeat, reallege and incorporate Mr. Ubierna de las Heras's objection (ECF Docket No. 1996) and the objection of the ad hoc group of Withhold account holders (ECF Docket No. 2008.) I repeat, reallege, and incorporate any other objections to exclusivity that are filed after this filing (except to such extent that such objections limit Mr. Herrmanns' rights to participate in putting forward a plan as part of a court-approved process). I repeat, reallege and incorporate the Application for the Appointment of a Chapter 11 Trustee (ECF Docket No. 1975) in this objection, noting that reasons to appoint a trustee are also reasons to not extend exclusivity (and that a trustee would automatically end exclusivity.)

REQUEST TO ENTER EXAMINER'S REPORT INTO EVIDENCE

I request that this Court enter the Examiner's Final Report (ECF Doc No. 1956) be entered into evidence for consideration with regards to this motion; I understand that any evidence solely from interviews not under oath may be disregarded or considered as hearsay (which may be grounds for additional discovery and questioning under oath and/or document requests but is not admissible, on its own, for determining whether there are grounds to end exclusivity.) However, much of the Examiner's report is based on documents, investigations, Slack chat logs, filings on the docket (such as financial disclosures) and other primary source evidence obtained by the examiner.

I will be filing a separate letter with the court showing specific examples of such evidence from the report not based upon interviews, and requesting evidence and discovery related to the Application for the Appointment of a Chapter 11 Trustee (ECF Docket No. 1975).

I reserve all rights to incorporate any and all evidence admitted for the Trustee Application into my objection to exclusivity.

The Debtor's Motion should be **DENIED**, and this Objection should be **SUSTAINED**. In the alternative, the Exclusivity should be expanded to include the UCC and Ad Hoc groups (including any future groups, such as an Earn group).

Respectfully submitted,

s/ Immanuel Herrmann

Immanuel Herrmann

Pro Se

February 8, 2023

CERTIFICATE OF SERVICE

I certify that on Wednesday, February 8, 2023, a true and correct copy of IMMANUEL HERRMANN'S OBJECTION TO THE DEBTORS' SECOND MOTION FOR ENTRY OF AN ORDER (I) EXTENDING THE DEBTORS' EXCLUSIVE PERIODS TO FILE A CHAPTER 11 PLAN AND SOLICIT ACCEPTANCES THEREOF PURSUANT TO SECTION 1121 OF THE BANKRUPTCY CODE AND (II) GRANTING RELATED RELIEF was filed with the Clerk of the United States Bankruptcy Court in the Southern District of New York served upon the Core/2002 service list by electronic mail, in accordance with the SDNY Bankruptcy Court's *Amended Final Order (I) Establishing Certain Notice, Case Management, And Administrative Procedures, And (II) Granting Related Relief* (ECF Docket No. 1181)

s/ Immanuel Herrmann
Immanuel Herrmann
Pro Se
February 8, 2023